

State of South Dakota

SEVENTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 1997

390A0726

SENATE ENGROSSED NO. **SB236** - 2/19/97

Introduced by: Senators Daugaard, Flowers, Kloucek, Munson (David), Paisley, and Reedy and
Representatives Koetzle, Belatti, Cerny, Fischer-Clemens, Gabriel, Hagen,
Lucas, Moore, and Pederson (Gordon)

1 FOR AN ACT ENTITLED, An Act to require the provision of certain closed captioning and
2 interpretive television services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Terms used in this Act mean:

- 5 (1) "Closed captioning," services designed for persons with hearing disabilities that
6 provide a live or prerecorded visual presentation of the sound associated with a given
7 television program. Captioning services are not visible except on a television receiver
8 designed to display them or by use of a specifically installed decoder;
- 9 (2) "Interpreter services," the relaying of any local news program to the general public
10 through the use of qualified sign language interpreters. The interpreter services are
11 accomplished by simultaneously broadcasting the sign language interpreter's actual
12 person in the same visual frame as the local news announcer. The sign language
13 interpreter simultaneously signs the contents of the local programmed news as it is
14 spoken by the local news announcer;
- 15 (3) "Local broadcasting news program," any news program and local broadcasted

1 television programs produced in South Dakota, including sports, weather, emergency,
2 legislation, education, governmental, health, and any other essential program;

3 (4) "Real-time closed captioning," any service similar to closed captioning but specifically
4 used to reference the live captioning of live programs versus the captioning of
5 prerecorded programs. These services are rendered simultaneously on a verbatim
6 basis as a program is being broadcasted.

7 Section 2. Notwithstanding §§ 9-35-16 to 9-35-24, effective July 1, 1998, all South Dakota
8 based, local television stations, including South Dakota Public Television, KABY, KDLT,
9 KCLO, KELO, KEVN, KSFY, KPLO, KTTW, and KOTA, shall provide closed captioning, or
10 until closed captioning can be fully implemented in each local television station's broadcast,
11 provide interpreter services, in the production and dissemination of all local news broadcasting
12 programs. However, all South Dakota based, local television stations shall provide real-time
13 captioning on all live local broadcasting news programs as defined in section 1 of this Act no
14 later than July 1, 1999.

1 **BILL HISTORY**

2 2/3/97 First read in Senate and referred to Commerce. S.J. 282

3 2/11/97 Scheduled for Committee hearing on this date.

4 2/11/97 Commerce Do Pass, Passed, AYES 5, NAYS 2. S.J. 386

5 2/12/97 Deferred to another day. S.J. 414

6 2/14/97 Motion to Amend. S.J. 454

7 2/14/97 Senate Do Pass Amended, Passed, AYES 21, NAYS 14. S.J. 455

8 2/14/97 Intent to reconsider.

9 2/15/97 Reconsidered (vote by which passed/lost), AYES 32, NAYS 1. S.J. 474

10 2/15/97 Deferred to another day. S.J. 480

11 2/18/97 Motion to Amend. S.J. 493

12 2/18/97 Senate Placed on Calendar. S.J. 494

13 2/18/97 Motion to Amend. S.J. 497

14 2/18/97 Senate Do Pass Amended, Passed, AYES 24, NAYS 10. S.J. 498

15 2/18/97 Senate Title Amended. S.J. 498